

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
THOMASVILLE DIVISION**

UNITED STATES OF AMERICA, :
: :
v. : : **Case No.**
KEITH ABRAMS, et al., : : **6:04-CR-02 (HL)**
: :
Defendants. : :

O R D E R

Defendant, Keith Abrams, has filed a Motion to Withdraw Appeal (Doc. 269) and an Amended Motion to Withdraw Appeal (Doc. 272). The Court is not sure whether Defendant directed the Motion and its Amendment to it or to the Eleventh Circuit. If the Motion and its Amendment were directed to this Court, it is without jurisdiction to grant the relief requested because this case has already been docketed in the Eleventh Circuit. Fed. R. App. P. 42(a)-(b); Lott v. United States, 218 F.2d 675, 676 (5th Cir. 1955).¹ Consequently, if Defendant has not already done so, he must direct his request to the Eleventh Circuit.

SO ORDERED, this the 5th day of July, 2005.

/s/ Hugh Lawson

HUGH LAWSON, Judge

jmb

¹The United States Court of Appeals for the Eleventh Circuit has adopted the case law of the former Fifth Circuit handed down as of September 30, 1981, as its governing body of precedent. Bonner v. City of Prichard, 661 F.2d 1206, 1209 (11th Cir. 1981). This body of precedent is binding unless and until overruled by the Eleventh Circuit en banc. Id.